



United States Attorney  
Southern District of New York

**MEMO ENDORSED**

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

June 2, 2008

**BY FACSIMILE**

The Honorable Naomi Reice Buchwald  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Room 2270  
New York, New York 10007



Re: United States v. Harry Vargas et al.  
07 Cr. 1099 (NRB)

Dear Judge Buchwald:

The next pretrial conference is scheduled for tomorrow, June 3, 2008, at 4:30 p.m. Discovery has been produced, which included many audio CDs, as well as additional discovery. The parties have been reviewing discovery, and the Government is responding to additional discovery requests. The parties have not completed the review of discovery. Therefore, the parties respectfully request that the pre-trial conference scheduled for tomorrow be adjourned for approximately one month to allow the parties to continue discussions about a possible resolution to this case.

Defendant Benjamin Rivera, however, has not appeared before Your Honor, and, therefore, will be present at tomorrow's conference.

If Your Honor grants this request, then the Government respectfully requests that the Court exclude time from June 3, 2008, until the date of the next conference, pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(8)(A). The ends of justice served by such continuance outweigh the interest of the public and the defendant in a speedy trial because the continuance will allow the defendant and the

Endorsement

The conference is adjourned for all defendants except Rivera until July 2, 2008 at 4 p.m. and Speedy Trial time is excluded pursuant to 18 U.S.C. § 316(h)(8)(A) for the reasons stated herein. So ordered.  
6/3/08 *Naomi Reice Buchwald*

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Government time to continue discussions about a possible pre-trial resolution to this case. Defense counsel consents to this request for an adjournment.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By:

  
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Encl.

cc: Lawrence DiGiansante, Esq.  
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(by facsimile)

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